

USHPA ANTI-HARASSMENT POLICY

Harassment has no place in the United States Hang Gliding & Paragliding Association. The USHPA is firmly committed to fostering an environment in the Association that is free of sexual harassment, as well as unlawful harassment related to race, ethnicity, national origin, disability, religion, age, gender, sexual orientation, gender identity and any other characteristic protected under federal or state law.

Harassment is defined as a course of conduct which is severe or pervasive and can threaten or intimidate, is hostile or offensive and can include aggressive pressure, or putting a person in fear for their safety. Sexual harassment includes unwelcomed sexual advances, requests for sexual favors or other conduct of a sexual nature. Harassment can be physical or verbal, via email, by phone or in person or visual.

All USHPA directors, officers, employees, administrators, and instructors, regardless of their positions, are covered by and are expected to comply with this policy and to take appropriate measures to ensure that such conduct does not occur.

There are state laws which govern harassment, and these laws vary by state and will be taken into consideration when examining Complaints and Reports of Harassment presented to the Association.

A) Submission of a Harassment Complaint

A complaint of harassment involving a USHPA director, officer, employee, administrator or instructor, excluding the USHPA President, should be promptly submitted in writing, preferably via email, or alternatively via postal mail, to president@ushpa.org, if by email, or to USHPA, President, PO Box 1330, Colorado Springs, CO 80901. If the complaint involves or implicates the USHPA President, it should be submitted by email to vice-president@ushpa.org or by postal mail to USHPA Vice President, PO Box 1300, Colorado Springs, CO 80901.

B) Processing of the Complaint

The President will assume the responsibility for processing the complaint according to the procedures below, except in cases where the President is implicated in the complaint, in which cases the Vice President will assume that responsibility.

C) Review

1. The President (or Vice President) may determine in the first instance that the complaint requires immediate law enforcement intervention. Complaints that involve physical assault should be referred immediately to law enforcement.
2. If at any point in an investigation it appears appropriate to refer the matters to law enforcement, the President or the Review Board (see Paragraph D below) will make an appropriate referral. Nothing in this Policy is meant to prevent any individual from applying common sense to the need for law enforcement intervention.

D) Formation of a Review Board

1. The President (or Vice President) will appoint a Review Board to oversee investigation of the complaint.
 - a. Under no circumstances may a person against whom a complaint is made be named to the Review Board to investigate that complaint.
 - b. A person who has been the subject of a prior complaint with respect to this policy may or may not be eligible to sit on the Review Board. The determination of eligibility is at the sole discretion of the President (or Vice President).
 - c. Provided that it is consistent with the Standard Operating Procedures, the President (or Vice President) may select him or herself to serve on the Review Board.
2. The President (or Vice President) will designate the Chair of the Review Board. The President (or Vice President) may select him or herself to be the Chair of the Review Board.
3. All members of the Review Board must maintain the confidentiality of any complaint and of the investigation. No member of the Review Board, nor the original recipient of the complaint may disclose the nature of the complaint, or the individuals involved to third parties.

E) Anti-Harassment Intake & Complaint Form

1. To file a complaint and initiate an investigation, an individual must use the Anti-Harassment Intake & Complaint Form to initiate the investigation. Based on this form, the Chair of the Review Board will initiate an investigation.
 - a. The Online Anti-Harassment Intake & Complaint Form will solicit the following information:
 - i. The name(s) of the person(s) against whom the complaint is being made;
 - ii. The actual or approximate date(s) and time(s) that the Complainant was subjected to harassment;
 - iii. Where the incident(s) took place;
 - iv. A full description of the harassment to which the Complainant was subjected;
 - v. Any and all witnesses to the harassment; and
 - vii. Any other relevant information, including digital information, that might be available.
 - b. If any information is missing, interviewing the Complainant and gathering the necessary information will be the job of the Review Board.
 - c. Complainants should not be promised absolute confidentiality. In the course of an investigation, it may be necessary to provide limited information to individuals who are the subject of the investigation in order to identify specific events and investigate inconsistencies. Further, the USHPA may be obligated to disclose a complaint(s) to law enforcement.
 - d. It is extremely important that the Complainant provide the Review Board with as much detail concerning the alleged misconduct and supplement it if additional information is subsequently recalled later.

e. Verbal communication is not an acceptable form for reporting a complaint. All complaints must be tendered using the Anti-Harassment Intake & Complaint Form, either online or the form can be requested by phone or email. The completed form should be returned to the USHPA office either by using the online form or the form may be returned by email or regular mail. No complaints or reports will be taken over the phone.

f. All complaints of harassment must be submitted and attested to by the person who was the subject of the harassment or by an individual who personally witnessed the harassment in order to be considered or acted upon. Complaints from individuals who were not the subject of the harassment or did not personally witness the specific conduct are not actionable and will not be accepted or acted upon.

F) Additional Investigation

1. The USHPA is committed to investigating any claim of harassment. At the discretion of the Review Board, the investigation may include:

- a. Interviewing the Complainant, witnesses and the alleged perpetrator(s);
- b. Requesting and reviewing digital information, including but not limited to emails, texts, social media and other cloud storage systems and devices such as phones, tablets, computers and other hand held electronic devices; or
- c. Any other steps germane to exploring any and all facts pertaining to the complaint.

2. Investigations are not limited to the facts or violations of policy alleged in the complaint. The Review Board may pursue its research into any area reasonably related to the original complaint.

3. Investigations are to be completed within 30 days of receipt of an Anti-Harassment Intake & Complaint Form or a report shall be issued to all parties to the complaint stating why the investigation cannot be completed in the 30-day time frame.

G) Corrective Action

1. The Review Board is responsible for reviewing the information collected through the investigation and determining whether additional investigation is required and whether a violation of USHPA Anti-Harassment policy has occurred. The Review Board is not limited to considering the violation alleged in the original complaint.

2. If the Review Board determines that a violation of USHPA Anti-Harassment policy has occurred, the Chair will so advise the President (or the Vice-President). The USHPA is committed to taking swift and appropriate corrective action in response to harassing behavior.

3. The Review Board will make a recommendation for correction action and will present that recommendation to the President (or the Vice President). The President or Vice President is encouraged to seek the advice of USHPA counsel.

4. The USHPA Board of Directors will ultimately be responsible for carrying out any corrective action.

5. Once a determination has been made as to what corrective action is appropriate, and the USHPA Board of Directors has taken the corrective action, the USHPA Board of Directors will determine the extent of information that is provided to the Complainant.

H) Reporting of Retaliation and Procedure

Any complaint of suspected retaliation involving the USHPA should promptly be reported in the same way as a complaint of harassment, in accordance with the procedure above. The USHPA will follow the procedure above with regard to complaints of retaliation, in addition to complaints of harassment.

I) Whistleblower Protection Policy

1. The USHPA will not tolerate retaliation against a whistleblower. Any whistleblower who believes he/she is being retaliated against should contact the USHPA immediately.

2. Whistleblower protections are provided in two important areas: confidentiality and retaliation. Insofar as possible, the confidentiality of the whistleblower will be maintained. However, identity may have to be disclosed to conduct a thorough investigation, to comply with the law, and to provide accused individuals their legal rights of defense.

3. The whistleblower is not responsible for investigating or for determining fault or corrective measures.

ANTI-HARASSMENT INTAKE & COMPLAINT FORM

The USHPA will not tolerate any form of harassment, nor will it tolerate any form of retaliation against individuals who complain about harassment or participate in any investigation concerning harassment.

The complaining party is encouraged to document all incidents of harassment or retaliation. Any individual who believes that they have been subjected to harassment or retaliation is strongly encouraged to file a complaint.

Complaints are only accepted via this Form. A request for this Form may be made over the phone or by email. Verbal reporting or complaints by parties who did not personally witness the conduct are NOT ACTIONABLE.

Your Name/Complainant:

Phone Number:

E-mail:

Today's Date:

Name of the Accused:

Relationship of the Accused to the Complainant:

Phone Number (if you have it):

E-mail (if you have it):

Date of Incident:

(If more than one event, please report each event on a separate form.)

Where did the specific incident occur?

Please explain the incident that occurred.

How did you react to the situation? Did you take any action to stop perceived inappropriate behavior?

Describe the harm you have suffered as a result of the incident.

Were there any witnesses to this specific event? (If yes, please provide their names and any other pertinent information such as phone, email, etc.)

Is there any physical evidence that supports your complaint? If so, please describe or attach copy of evidence.

What is your desired outcome of the investigation? What resolution are you seeking?

Upload supporting documentation (optional)

I swear that the information provided in this complaint is true and correct to the best of my knowledge. I am willing to cooperate fully in the investigation of my complaint and provide whatever evidence the USHPA deems relevant.

Signature

Date:

You will receive acknowledgement of this Complaint within five (5) days of receipt.